

REMARKS

The Applicants respectfully request further examination and consideration in view of the arguments set forth fully below. Claims 1-8, 10-36 and 38-44 were previously pending in this application. Within the Office Action, Claims 1-8, 10-36, 38-42 and 44 have been rejected and Claim 43 has been objected to. Accordingly, Claims 1-8, 10-36 and 38-44 are currently pending.

Rejections Under 35 U.S.C. § 102

Within the Office Action, Claims 1, 6, 10, 15-19, 36, 39 and 40 have been rejected under 35 U.S.C. 102(b) as being anticipated by U.K. Patent No. GB 2242180A to Mallan (hereinafter “Mallan”).

Mallan discloses a ticket holder assembly comprising a base such as a plastic container wall on a panel of which a ticket is to be displayed. A U-shaped clip retains the ticket on the panel. The clip has legs, a foot, and a barbed detent. The clip is slidably inserted through a slot in a flange of the container wall so that the detent snap engages in a slot on the flange. The snap engagement holds the clip to the container wall such that the ticket can be removably retained on the panel beneath the clip legs. Mallan does not disclose a label holder configured to rotatably and detachably couple with the container. In fact, Mallan teaches away from the present invention because it discloses a clip which slides through a slot such that the ticket can be retained on the panel beneath the clip legs, whereas the present invention teaches a label holder configured to rotatably and detachably couple with the container.

Furthermore, Figure 6 of Mallan shows how a ticket holder is assembled, and once it is assembled, a person does not have to reassemble it again to insert a ticket. The ticket holder is assembled by inserting the clip 13 into the opening 12 and through the slot. The clip 13 is firmly retained on the container and the abutment between the foot part 16 and the side wall 2 biases the clip 13 in a sense to effect the snap engagement. The biasing of the legs of the clip together with the plastic serves to retain the ticket in place. Moreover, the legs are chamfered, meaning slightly bent up, to provide a lead-in surface to facilitate insertion of the ticket into the holder. [Mallan, page 4, line 33 through page 5, line 25] Once the ticket holder is assembled, there is no reason to remove the clip ever again. When using the Mallan ticket holder for insertion of a ticket, a user simply inserts the ticket into the chamfered ends of the clip as shown in Figure 6. Although Mallan’s clip can be bent slightly such that the clip may be inserted into position, this is clearly distinguishable from the rotatable label holder of the present invention. Mallan does not teach a

rotatable clip, rather the clip is slightly bendable to fit into and locked into place. Furthermore, it is this bendability that allows Mallan's ticket holder to function at all since it utilizes the force created by the bending clip applied to the plastic of a container to create enough friction to hold a ticket in place. Such a ticket clip is inherently different from the rotatable label holder of the present invention wherein the label holder has protrusions which fit within apertures and allow a rotatable window to rotate while the label is within the window. Mallan certainly cannot maintain control of the ticket while rotating the clip, because the clip must apply force against the storage bin for the label to remain in place. Contrary to that, in the present invention, the label holder can be rotated while holding the label. Such a distinction is important. For example, if Mallan's ticket holder is on a storage bin on the floor, for someone to view the label, they must either stoop down to be parallel with the ticket to view it or lift the entire storage bin so that the ticket is readable. However, with the present invention, if the storage bin with label holder is on the floor, a person may simply rotate the label holder up and read the label without having to move the storage bin. One of the main objectives of the present invention is to provide easy viewing of the label. Mallan has a significant drawback in terms of easy viewing since it cannot be rotated, specifically it certainly cannot be rotated while the ticket is being held, otherwise the ticket would simply fall out. Therefore, Mallan's slight bendability when assembling the ticket clip is patentably different from the rotatability of the present invention.

Moreover, Mallan does not teach a label holder configured to detachably couple with the storage bin. Mallan's ticket clip is detachable only in the sense that a car door is detachable from a car. It is true that a car door is attached to the frame of the car when the car is being assembled, but after that the door is not removed again for the life of the car. Similarly, Mallan's ticket clip is attached when assembling the holder, but after that there is no reason to ever detach the ticket clip again. Once assembled, a user slides a ticket underneath the chamfered ends of the ticket clip, and the ticket clip must remain in the attached position otherwise it will not have the force required to hold the ticket in place. Thus detaching the ticket clip of Mallan would actually prevent it from functioning properly. However, in the present invention, a user does have a desire to detach the label holder because it allows for easier installation of the label. For example, if a storage bin were up high in a cabinet and the Mallan ticket clip was being used, a user would have to stretch and reach to insert the ticket. Furthermore, detaching the clip would not aid the user because then the user would still have to stretch again to re-attach the clip as well as stretch to insert the ticket. With the present invention, on the other hand, a user can detach the label holder with minimal effort, insert the label into the holder while not stretching and then

stretch minimally to re-attach the holder. The present invention is much easier to use, which as described above, is an important objective of the present invention.

In contrast to the teachings of Mallan, the present invention is directed to a plastic storage bin comprising a container and a label holder. The label holder is configured to rotatably and detachably couple with the container. The label holder preferably comprises a clear rigid plastic designed to hold a 3" x 5" card that describes the contents of the container. Specifically, the preferred label holder is configured to rotatably and detachably couple with a label holder securing means by cooperatively engaging a plurality of protrusions with a plurality of apertures. The storage bin further comprises a lid configured to mate with the container so as to create a positive seal. As described above, Mallan does not teach a label holder configured to *rotatably and detachably* couple with the container.

The independent Claim 1 is directed to a storage bin comprising a container including one or more apertures and a label holder configured to rotatably and detachably couple with the container, wherein the label holder comprises one or more protrusions configured to cooperatively engage with the one or more apertures. As described above, Mallan does not teach a label holder configured to *rotatably and detachably* couple with the container. For at least these reasons, the independent Claim 1 is allowable over the teachings of Mallan.

Claim 6 is dependent upon the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Mallan. Accordingly, Claim 6 is also allowable as being dependent upon an allowable base claim.

The independent Claim 10 is directed to a storage bin comprising a chamber configured for storing, a rotatably attachable label holder including one or more protrusions, and a label securing structure coupled to the chamber and configured to detachably couple the rotatably attachable label holder to the chamber, wherein the securing structure comprises one or more apertures configured to cooperatively receive the one or more protrusions. As described above, Mallan does not teach a rotatably attachable label holder including one or more protrusions and a label securing structure coupled to the chamber and configured to *detachably* couple the *rotatably* attachable label holder to the chamber. For at least these reasons, the independent Claim 10 is allowable over the teachings of Mallan.

Claims 15 and 16 are both dependent upon the independent Claim 10. As discussed above, the independent Claim 10 is allowable over the teachings of Mallan. Accordingly, Claims 15 and 16 are both also allowable as being dependent upon an allowable base claim.

The independent Claim 17 is directed to a plastic storage bin comprising a hollow body and a label holder. The hollow body has a front end and a rear end, and the hollow body further comprises a first securing structure on the front end, wherein the first securing structure includes one or more apertures. The label holder comprises a second securing structure, wherein the second securing structure includes one or more protrusions and further wherein the first securing structure rotatably and detachably mates with the second securing structure to secure the label holder with the hollow body. As described above, Mallan does not teach a hollow body comprising a first securing structure and a label holder comprising a second securing structure, wherein the first securing structure *rotatably and detachably* mates with the second securing structure to secure the label holder with the hollow body. For at least these reasons, the independent Claim 17 is allowable over the teachings of Mallan.

Claims 18 and 19 are both dependent upon the independent Claim 17. As discussed above, the independent Claim 17 is allowable over the teachings of Mallan. Accordingly, Claims 18 and 19 are both also allowable as being dependent upon an allowable base claim.

The independent Claim 36 is directed to a label holder configured to hold and allow insertion and removal of a label. It is specified in Claim 36 that the label holder comprises one or more securing structures configured to mate and rotatably and detachably secure the label holder with a container. It is further specified in Claim 36 that the one or more securing structures comprise a plurality of protrusions configured to cooperatively engage with a plurality of apertures. As described above, Mallan does not teach a label holder configured to mate and *rotatably and detachably* secure the label holder with a container. For at least these reasons, the independent Claim 36 is allowable over the teachings of Mallan.

Claims 39 and 40 are both dependent upon the independent Claim 36. As discussed above, the independent Claim 36 is allowable over the teachings of Mallan. Accordingly, Claims 39 and 40 are both also allowable as being dependent upon an allowable base claim.

Rejections Under 35 U.S.C. § 103

Within the Office Action, Claims 7, 8, 14, 38, 41 and 42 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Mallan.

Claims 7 and 8 are both dependent upon the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Mallan. Accordingly, Claims 7 and 8 are both also allowable as being dependent upon an allowable base claim.

Claims 14 is dependent upon the independent Claim 10. As discussed above, the independent Claim 10 is allowable over the teachings of Mallan. Accordingly, Claims 14 is also allowable as being dependent upon an allowable base claim.

Claims 38, 41 and 42 are all dependent upon the independent Claim 36. As discussed above, the independent Claim 36 is allowable over the teachings of Mallan. Accordingly, Claims 38, 41 and 42 are all also allowable as being dependent upon an allowable base claim.

Within the Office Action, Claims 2-5, 11-13, 20-35, and 44 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Mallan, in view of U.S. Patent No. 5,738,241 to McEntee et al. (hereinafter "McEntee").

As described above, Mallan discloses a ticket holder assembly comprising a base and a U-shaped clip which retains the ticket on the panel. The clip is slidably inserted through a slot in a flange of the container wall so that the detent snap engages in a slot on the flange. The snap engagement holds the clip to the container wall such that the ticket can be removably retained on the panel beneath the clip legs. Mallan does not disclose a label holder configured to *rotatably and detachably* couple with the container. In fact, Mallan teaches away from the present invention because it discloses a clip which slides through a slot such that the ticket can be retained on the panel beneath the clip legs, whereas the present invention teaches a label holder configured to rotatably and detachably couple with the container.

McEntee discloses a multi-purpose craft box comprising a substantially rectangular box and a contour lid configured such that when turned over, the lid fits inside the multi-purpose craft box to serve as a work surface. McEntee does not teach a labeled storage apparatus comprising a container having one or more apertures coupled to the outer walls. Further McEntee does not teach a labeled storage apparatus comprising a container and one or more label holders each having one or more protrusions configured to rotatably and detachably engage with the one or more apertures and configured to hold a label. In fact, McEntee does not disclose a label holder of any sort. Accordingly, neither Mallan, McEntee nor their combination teach a storage container wherein one or more apertures are coupled to the outer walls and a label holder configured to rotatably and detachably couple with the container.

In contrast to the teachings of Mallan, McEntee and their combination, the present invention is directed to a plastic storage bin comprising a container and a label holder. The container comprises integrally formed inner and outer walls and one or more apertures coupled to the outer walls. The label holder is configured to rotatably and detachably couple with the container. The label holder preferably comprises a clear rigid plastic designed to hold a 3" x 5"

card that describes the contents of the container. Specifically, the preferred label holder is configured to rotatably and detachably couple with a label holder securing means by cooperatively engaging a plurality of protrusions with a plurality of apertures. The storage bin further comprises a lid configured to mate with the container so as to create a positive seal. The lid comprises a tab to facilitate in the removal of the lid. As described above, Mallan does not teach a label holder configured to mate and *rotatably and detachably* secure the label holder with a container. In addition, McEntee does not teach a labeled storage apparatus comprising a container having one or more apertures coupled to the outer walls. Further, McEntee does not teach a labeled storage apparatus comprising a container and one or more label holders each having one or more protrusions configured to rotatably and detachably engage with the one or more apertures and configured to hold a label. In fact, McEntee does not disclose a label holder of any sort. As described above, neither Mallan, McEntee nor their combination teach a labeled storage apparatus comprising a container wherein one or more apertures are coupled to the outer walls and a label holder configured to rotatably and detachably couple with the container.

Claims 2-5 are all dependent upon the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Mallan. Accordingly, Claims 2-5 are all also allowable as being dependent upon an allowable base claim.

Claims 11-13 are all dependent upon the independent Claim 10. As discussed above, the independent Claim 10 is allowable over the teachings of Mallan. Accordingly, Claims 11-13 are all also allowable as being dependent upon an allowable base claim.

The independent Claim 20 is directed to a labeled storage apparatus. The labeled storage apparatus of Claim 20 comprises a container comprising integrally formed inner and outer walls and one or more apertures coupled to the outer walls, one or more label holders each comprising one or more protrusions configured to rotatably and detachably engage with the one or more apertures and configured to hold a label, and a lid configured to detachably couple with the container. As described above, neither Mallan, McEntee nor their combination teach a labeled storage apparatus comprising a container wherein one or more apertures are coupled to the outer walls and a label holder configured to *rotatably and detachably* engage with the one or more apertures and configured to hold a label. For at least these reasons, the independent Claim 20 is allowable over the teachings of Mallan, McEntee and their combination.

Claims 21-31 are all dependent upon the independent Claim 20. As discussed above, the independent Claim 20 is allowable over the teachings of Mallan, McEntee and their combination. Accordingly, Claims 21-31 are all also allowable as being dependent upon an allowable base claim.

The independent Claim 32 is directed to a storage bin comprising a container means, a lid configured to cooperatively engage with the container means, a label holder securing means comprising a plurality of apertures, wherein the label holder securing means is coupled to the outside of the container, and a label holder configured to rotatably and detachably couple with the label holder securing means by cooperatively engaging the plurality of protrusions with the plurality of apertures. As described above, neither Mallan, McEntee nor their combination teach a storage bin comprising a container wherein a label holder securing means comprising a plurality of apertures coupled to the outside of the container and a label holder configured to *rotatably and detachably* couple with the label holder securing means. For at least these reasons, the independent Claim 32 is allowable over the teachings of Mallan, McEntee and their combination.

Claims 33-35 are all dependent upon the independent Claim 32. As discussed above, the independent Claim 32 is allowable over the teachings of Mallan, McEntee and their combination. Accordingly, Claims 32-35 are all also allowable as being dependent upon an allowable base claim.

The independent Claim 44 is directed to a labeled storage apparatus comprising a container having integrally formed inner walls and outer walls, one or more label holders rotatably and detachably coupled to the outer walls and configured to hold a label, and a lid configured to detachably couple with the container, wherein the lid further comprises a tab configured to facilitate removal of the lid from the apparatus. As described above, neither Mallan, McEntee nor their combination teach a storage container wherein one or more label holders are *rotatably and detachably* coupled to the outer walls and configured to hold a label. For at least these reasons, the independent Claim 44 is allowable over the teachings of Mallan, McEntee and their combination.

Objections

Within the Office Action, Claim 43 has been objected to as being dependent upon a rejected base claim. It is stated within the Office Action that Claim 43 would be allowable if it were rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 43 depends upon the independent Claim 36. As discussed above, the independent Claim 36 is allowable over the teachings of Mallan. Accordingly, Claim 43 is also allowable as being dependent upon an allowable base claim.

For the reasons given above, Applicant respectfully submits that the Claims 1-8, 10-36 and 38-44 are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
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CERTIFICATE OF MAILING (37 CFR§ 1.8(a))

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Date: 11-7-05 By: Nicole L. Engle